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NEW YORK

PAYMENT FOR RESERVED BEDS IN MEDICAL INSTITUTIONS

LIMITATIONS

- A. RESERVED BEDS DURING LEAVES OF ABSENCE (Defined to mean overnight absences including visits with relatives/friends, or leaves to participate in medically acceptable therapeutic or rehabilitative plans of care).

When patient's/resident's plan of care provides for leaves of absence:

General Hospital Patients

Eligibility restricted to patients receiving care in certified psychiatric or rehabilitation units, without consideration of any vacancy rate. A psychiatric patient must be institutionalized for 15 days during a current spell of illness; a rehabilitation patient must be institutionalized for 30 days. Leaves must be for therapeutic reasons only and carry a general limitation of no more than 18 days in any 12 month period, and 2 days per any single absence. Broader special limits are possible when physicians can justify them, subject to prior approval.

Nursing Facility (NF) Patients

All recipients eligible after 30 days in the facility, subject to a facility vacancy rate, on the first day of the patient's/resident's absence of no more than 5%. General limitations of no more than 18 days in any 12 month period with broader special limits possible when physicians can justify them, subject to prior approval.

Intermediate Care Facilities for the Mentally Retarded and Specialty Hospitals for the Developmentally Disabled (ICF/MR)

All recipients eligible after 30 days in the facility, subject to a facility vacancy rate, on the first day of the resident's absence, of no more than 5%. ICFs/MR with a bed capacity in excess of 30 beds are exempt from this vacancy rate requirement. There is no limitation on the number of days a patient/resident may be absent.

Psychiatric or Rehabilitation Facility Patients (Other than RTFs)

As provided for recipients receiving similar treatment in general hospitals, as described above.

TN 94-41 Approval Date NOV 30 1994
Supersedes TN 85-4 Effective Date JUL 1 - 1994

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Residential Treatment Facilities for Children and Youth (RTFs)

All recipients eligible who have been institutionalized for 15 days during a current spell of illness, subject to a vacancy rate, on the first day of a resident's absence of no more than 5% or 2 vacant beds, whichever is greater, in the distinct part of the RTF to which the recipient is to return. Leaves of absence carry a general limitation of no more than 75 days in any 12 month period, and 4 days per any single absence. Limitations may be waived when justified by recipient's physician, subject to prior approval by a designee of the Commissioner of the Office of Mental Health.

B. RESERVED BEDS DURING PERIODS OF HOSPITALIZATION

All recipients eligible after 30 days in:

- 1) an NF;
- 2) an ICF/MR;
- 3) a specialty hospital;
- 4) a rehabilitation facility or rehabilitation units of general hospitals;
- 5) a hospice

All recipients eligible who have been institutionalized for at least 15 consecutive days in:

- 1) a psychiatric facility or psychiatric units of general hospitals;
- 2) an RTF

The 15 day requirement may be waived if prior approval by a designee of the Commissioner of the Office of Mental Health.

For other than Residential Treatment Facilities:

Without prior approval, not to exceed 15 days during period of hospitalization for acute conditions, for any single hospital stay, when patient returns immediately following a period during which their bed was reserved to his/her originating facility in 15 days or less.

TN **94-41**Approval Date **NOV 30 1994**Sedes TN **86-11** Effective Date **JUL 1 - 1994**

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With prior approval, not to exceed 20 days during period of hospitalization for acute conditions, for any single hospital stay, when patient does not return to his/her originating facility immediately following a period during which their bed was reserved or does not return in 15 days or less.

For Residential Treatment Facilities:

Without prior approval, not to exceed 15 days during period of hospitalization for acute conditions, for any single hospital stay, when patient returns immediately following a period during which their bed was reserved to his/her originating facility in 15 days or less.

With prior approval, not to exceed 20 days during period of hospitalization for acute medical (non-psychiatric) conditions for any single hospital stay, when patient does not return to his/her originating facility immediately following a period during which their bed was reserved, or does not return in 15 days or less.

With prior approval, not to exceed 30 days during period of hospitalization for acute psychiatric conditions, for any single hospital stay, when patient does not return to his/her originating facility immediately following a period during which their bed was reserved, or does not return in 15 days or less.

All of the above provisions subject to a facility vacancy rate of no more than 5% on the first day of patient's/resident's absence. For RTFs, the above is subject to a vacancy rate, on the first day of a resident's absence of no more than 5% or 2 vacant beds, whichever is greater, in the distinct part of the RTF to which the recipient is to return.

Special broader limits, subject to approval of the State Commissioner of Social Services, may be established for residents of institutions for the mentally retarded/developmentally disabled on an individual case basis, and for residents of RTFs on an individual basis.

TN 94-41 Approval Date NOV 30 1994
Supersedes TN 86-11 Effective Date JUL 1 - 1994